

REQUEST	Current Zoning: R-5 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 0.41 acres located on the south side of Faison Avenue between North Davidson Street and North Brevard Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to redevelop three lots located in the North Davidson neighborhood, to allow up to 12 single family attached dwelling units containing no more than two units per building. The maximum density allowed is 29.2 units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Hopedale Properties, LLC Hopedale Builders, Inc. Collin Brown and Bailey Patrick, Jr., K&L Gates LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, land use, and site and building design.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Blue Line Extension Transit Station Area Plan</i> recommendation for residential use but inconsistent with the specifically recommended low density (up to six units per acre) for the subject properties. However, the moderate density residential development can be supported, with appropriate design that is consistent with the community design section of this adopted plan.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The properties are located on the south side of Faison Avenue amidst single family detached homes, duplex units, and vacant lots. • The proposed duplex units will provide new housing on vacant lots to complement the existing duplex and detached single family units on Faison Avenue. • While the proposed density is greater than the specific density recommended by the adopted plan, the plan does state that moderate density residential development can be supported if designed to be consistent with the community design section of the plan. • The proposed development adheres to community design policies of the adopted plan by orienting buildings to the street, locating parking to the rear of the buildings, and providing porches and stoops similar to surrounding single family dwellings.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Maximum of 12 townhome units allowed, not to exceed two units per building.
 - Units will face Faison Avenue, will provide a 14-foot setback, and be served by internal private driveways.
 - Exterior building materials include a combination of brick, natural or synthetic stone, stucco, cementitious siding, and fiber cement (hardiplank). Architecturally unfinished concrete masonry units and vinyl siding, with the exception of hand rails, windows and door trim, are prohibited.
 - Residential units within 15 feet of the sidewalk must be raised a minimum of 24 inches from the average sidewalk grade.
 - Usable porches and stoops shall form a predominant feature of the building design and be

located on the front and/or side of the building.

- **Existing Zoning and Land Use**

- The subject property was correctively rezoned via Petition 1999-55A2 from R-22MF (multi-family residential) to R-5 (single family residential).
- One of the subject properties is developed with a single family detached dwelling and the other is developed with a duplex dwelling unit.
- Properties on the north and south sides of Faison Avenue are developed with single family and multi-family residential, office, and warehouse/industrial uses in R-5 (single family residential), R-22MF (multi-family residential), O-1 (office), MUDD-O (mixed use development, optional), TOD-MO (transit oriented development – mixed-use, optional), I-2 (general industrial) districts, and vacant properties.
- Properties to the east, across North Davidson Street, are zoned R-5 (single family residential), UR-2(CD) (urban residential, conditional), MUDD-O (mixed use development, optional), and I-2 (general industrial) and developed with a mixture of single family detached and attached dwellings, office, retail, industrial uses, and vacant properties.
- West of the site, across North Brevard Street, are railroad lines and multi-family residential dwellings zoned TOD-RO (transit oriented development - residential, optional), MUDD(CD) (mixed use development, conditional), I-2 (general industrial), and vacant properties.
- See “Rezoning Map” for existing zoning in the area.

- **Rezoning History in Area**

- There have been several rezonings in the area in recent years to MUDD-O (mixed use development, optional) and TOD-MO (transit oriented development – mixed-use, optional) to accommodate retail, office, and mixed use developments.

- **Public Plans and Policies**

- The *Blue Line Extension Transit Station Area Plans* (2013) recommend low density residential uses (up to six units per acre) for these properties. However, the plan states that moderate density residential can be supported, with appropriate design consistent with adopted policy.
- Community Design policies include recommendations for single family attached and multi-family development to:
 - Orient buildings to the street
 - Avoid blank walls along pedestrian circulation areas
 - Design buildings with transparent openings, ornamentation, and architectural character
 - Establish entrances with pedestrian interest
 - Design buildings with human scale and visual interest in mind
 - Locate parking to the rear of buildings whenever feasible, with alley access if available
 - Place utilities underground wherever possible. Screen above ground utilities with landscaping or architectural features or walls
 - Encourage architectural design that complements the style, character, and materials of surrounding structures that contribute to the neighborhood character.
 - Ensure the scale and setback of buildings is compatible with adjacent structures
 - Encourage shared residential driveways to reduce pavement area and curb cuts and maximize green space.
- The adopted plan includes single family houses, duplexes, triplexes, and quadraplexes as typical building types, and recommends a maximum height of 40 feet.

- **TRANSPORTATION CONSIDERATIONS**

- The site is located along a local street and does not substantially increase the number of daily trips. The site plan commits to streetscape improvements along the site’s disconnected frontage.
- See Outstanding Issues, Notes 5 through 7.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 50 trips per day (based on four single family dwellings).
 - Entitlement: 50 trips per day (based on four single family dwellings).
 - Proposed Zoning: 100 trips per day (based on 12 single family attached dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No on-street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would

generate one student, while the development allowed under the proposed zoning will produce zero students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is zero students.

- The proposed development is not projected to increase the school utilization (without mobile classroom units).
 - Highland Renaissance Academy remains at 101%
 - Martin Luther King, Jr. Middle remains at 93%
 - Garinger High remains at 121%.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing six-inch water main located along Faison Avenue. Sewer system availability is provided via an existing 10-inch gravity sewer main located along the southern portions of parcels 083-068-21 and 083-068-16.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed from or planted in the right-of-way of Faison Avenue without permission of the City Arborist's office. A survey must be submitted for all trees two inches or larger located in the right-of-way and for all trees eight inches or larger in the setback.
 - **Erosion Control:** No issues.
 - **Land Development:** See outstanding issue Note 8.
 - **Storm Water Services:** See outstanding issue Note 8.
 - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Land Use

1. Clarify maximum number of units, unit type, and density.

Site and Building Design

2. Commit to a maximum building height of 40 feet.
3. Amend Note IV(6) to state that usable porches and stoops shall form a predominant feature of the building design and be located on the front and/or side of the building.
4. Take the average setback of all lots along Faison Avenue to determine the setback to be provided.

Transportation

5. The petitioner should revise the site plan to provide 28 feet of public right-of-way as measured from the street's existing centerline. If the petitioner desires to place the proposed six-foot sidewalk in a sidewalk utility easement, the petitioner should provide 21 feet of public right-of-way (i.e. from the existing right-of-way existing centerline to the front edge of the sidewalk). The petitioner should revise the site plan to clearly label and dimension the dedicated public right-of-way and/or sidewalk utility easement.
6. The petitioner should revise the site plan to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right-of-way set at two feet behind back of sidewalk if feasible.
7. The petitioner should revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued or phased per the site's development plan.

Environment

8. Remove all proposed improvements from the stream buffers or receive approval of encroachments from the City of Charlotte Storm Water Administrator for the proposed encroachment.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review

- Charlotte Water Review
- Engineering and Property Management Review
 - City Arborist Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

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